

AMENDED IN ASSEMBLY JUNE 21, 2005

AMENDED IN ASSEMBLY JUNE 6, 2005

AMENDED IN SENATE APRIL 25, 2005

SENATE BILL

No. 319

Introduced by Senator Migden

February 16, 2005

An act to amend Section 47660 of the Education Code, relating to public education funding.

LEGISLATIVE COUNSEL'S DIGEST

SB 319, as amended, Migden. Charter schools: funding.

Existing law, the Charter Schools Act of 1992, allows for the establishment of charter schools that operate independently from the existing school district structure as a method of accomplishing specified goals.

Existing law requires the Superintendent of Public Instruction to annually compute a general purpose entitlement, as defined, and a categorical block grant amount, as defined, for each charter school, pursuant to a specified formula.

Existing law requires, for purposes of computing eligibility for, and entitlements to, revenue limit funding, that the average daily attendance of a unified school district, other than a unified school district that has converted all of its schools to charter status, as specified, include all attendance of pupils who attend charter schools for which the district is the sponsoring local educational agency and reside in, and would otherwise have been eligible to attend a noncharter school of the district.

This bill, instead, would subject to different funding provisions, as specified, a charter school in a nonbasic aid unified school district that

was operational and converted to charter status before January 1, 2005, or that is receiving startup funding, as specified, and that would otherwise be subject to the above provisions of existing law.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 47660 of the Education Code is
2 amended to read:

3 47660. (a) For purposes of computing eligibility for, and
4 entitlements to, general purpose funding and operational funding
5 for categorical programs, the enrollment and average daily
6 attendance reported by a sponsoring local educational agency
7 shall exclude the enrollment and attendance of pupils in its
8 charter schools funded pursuant to this chapter.

9 (b) Notwithstanding subdivision (a), and except as provided in
10 subdivision (c), for purposes of computing eligibility for, and
11 entitlements to, revenue limit funding, the average daily
12 attendance of a unified school district, other than a unified school
13 district that has converted all of its schools to charter status
14 pursuant to Section 47606, shall include all attendance of pupils
15 who attend charter schools for which the district is the
16 sponsoring local educational agency and reside in, and would
17 otherwise have been eligible to attend a noncharter school of, the
18 district.

19 (c) Notwithstanding subdivision (b), a charter school in a
20 nonbasic aid unified school district, that was operational and had
21 converted to charter status prior to January 1, 2005, or that is a
22 charter school that is receiving startup funding pursuant to
23 Section 47771.5, that would otherwise be subject to subdivision
24 (b), is subject to the funding provisions of Article 2 (commencing
25 with Section 47633) and Article 3 (commencing with Section
26 47636), rather than to those of subdivision (b), *and is excluded*
27 *from computations pursuant to paragraph (7) of subdivision (h)*
28 *of Section 42238.*